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ASH GROVE CEMENT COMPANY



"WESTERN REGION"

January 10, 2005

Ms. Hermia Ip
City of Seattle
Department of Planning and Development
700 5th Ave Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

**Re: Shoreline Substantial Development Permit Exemption Request for Urgent
Replacement of a Fendering System at Ash Grove Cement Barge Off-Loading Dock**

Dear Ms. Ip:

Ash Grove Cement requests a Shoreline Substantial Development Permit (SSDP) exemption for urgently needed replacement of a fendering system at an existing barge off-loading facility on the Lower Duwamish Waterway. A JARPA and drawings detailing the proposed work is attached.

Location

The project site is located at 3801 East Marginal Way South, in the northeast quadrant of Section 18, Township 24N, and Range 4E. Shoreline designation is Urban Industrial.

Project Schedule

Replacement activities will begin as soon as the appropriate environmental approvals are obtained and weather conditions allow. The project should be completed in 3 to 5 days. A summary of the required work is provided below:

- Removal of the existing worn rubber tires, which are chained to existing dock support piles.
- Installation of a new HDPE fendering system by attaching it to existing dock support piles.
- Bracing of the fendering system with angled steel struts.

Statement of Exemption

This project is exempt from the Shoreline Development Permit process based on the Seattle Municipal Code 23.60.020.C.1:



"Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements." "Normal maintenance" means those usual acts to prevent a decline, lapse or cessation from a lawfully established state comparable to its original condition, including but not limited to its size, shape, configuration, location, and external appearance, within a reasonable period after decay or partial destruction, except where repair causes substantial adverse effects to shoreline resources or environment. Replacement of a structure or development may be authorized as repair where such replacement is the common method of repair for the type of structure or development and the replacement structure or development is comparable to the original structure or development including but not limited to its size, shape, configuration, location and external appearance and the replacement does not cause substantial adverse effects to shoreline resources or environment."

The existing rubber tire bumpers are worn and require replacement. The fendering system is of similar size, placed in the same location, and will not significantly alter the appearance of the dock structure. Replacement of the fendering system will not cause noise or other disturbance greater than that of normal operations of the barge off-loading facility. The replacement will not cause adverse effects to shoreline resources or environment, and in fact may slightly improve conditions by removing a potential source of PAHs (the rubber tires) and replacing with a durable, non-leaching material.

This project is also exempt from State Environmental Policy Act (SEPA) requirements under WAC 197-11-800(3), which exempts "repair, remodeling and maintenance activities," including "minor repair or replacement of structures...(examples include... minor repair, alteration or maintenance of docks)." There will be no change to the footprint of the structure. There will be no impacts to the natural environment including fish and vegetation. There will be no long-term effects on air quality, water quality, recreation, or scenic views.

Thank you in advance, for taking the time to process this request. Please contact Sasha Visconty at 206-903-3310, or by e-mail at svisconty@anchorenv.com if you have any questions

Sincerely,



Craig Puljan, Plant Manager
Ash Grove Cement

Cc: Sasha Visconty, Anchor Environmental
David Pierce, PND